



3-31-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of  
Ulrichsen et al.

Docket No. 0279.0340.003

Serial No. 09/541,718

Examiner: T. Nguyen

Filed: April 30, 2000

Group Art Unit: 3653

For: DETERMINATION OF CHARACTERISTICS OF MATERIAL

CERTIFICATE OF EXPRESS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail No. EV 395901147 US in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 30, 2004.

  
Suzanne J. Wills

REPLY BRIEF

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APR 06 2004  
**GROUP 3600**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: Board of Appeals and Interferences**

Sir:

Reply to Examiner's Supplemental Response (Paper No. 19) to Applicant's Appeal Brief

**CLAIMS 144, 145, 168, 169-171, and 174**

The arguments in the Examiner's Supplemental Response regarding these claims do not respond to the arguments in the Applicant's original Reply Brief. They appear to be exact duplicates of those found in the Examiner's original Response. As such, with the following exceptions, the Applicant's arguments regarding these claims remain unchanged from those set forth in the Applicant's original Reply filed 27 May 2003.

In line 3 of the final paragraph on page 2 of the Applicant's original Reply, the citation to the specification should read "For example, in lines 8-11 of page 4 of the specification . . .".

In line 3 of the final paragraph on page 3 of the Applicant's original Reply, the citation to the specification should read "For example, in lines ~~23-25 of page 5~~ lines 15-18 of page 6 . . ."

Also, on 4 December 2003 Examiner John Miller telephoned me, the Applicant's US representative, to discuss the relevance of a known system that the Applicant alludes to in the final paragraph of page 3 of the Applicant's original Reply, i.e., a system discussed in the background art section of the specification as including "a mechanical scanner reciprocated across the width of the strip . . .". Having thoroughly investigated the nature of this known system, the Applicant now wishes to verify that this system, and several others mentioned in the background art section of the specification, was and are, to the Applicant's knowledge, known only in Europe and are not, as far as the Applicant knows, the subject of any printed publication. As such, the Applicant maintains that they are not prior art under 35 U.S.C. §102 or §103 and are not relevant to examination in the United States Patent and Trademark Office. The systems mentioned in the background of the specification that were known only in Europe are:

- The system described in the paragraph spanning the bottom of page 4 and the top of page 5 of the specification;
- The system described in the paragraph spanning the bottom of page 5 and the top of page 6 of the specification;
- The system described in the paragraph beginning at line 9 of page 6 of the specification; and
- The systems described in the paragraph beginning at line 15 of page 6 of the specification.

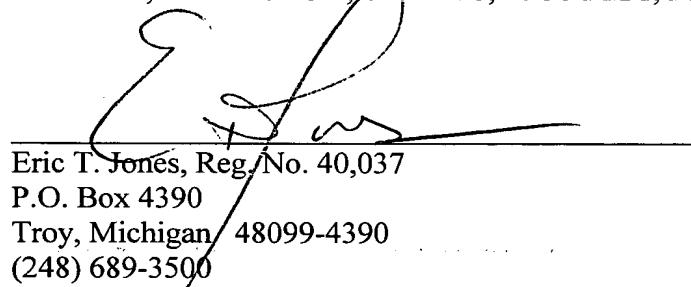
The Applicant will propose appropriate corresponding amendments to the US National Phase application to specify that these systems were known only in Europe.

The Applicant maintains that all of the Applicants' claims are allowable over the teachings of the references, and respectfully requests the Board of Appeals' approval.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 50-0852. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

REISING, ETHINGTON, BARNES, KISSELLE, P.C.



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Date: March 30, 2004

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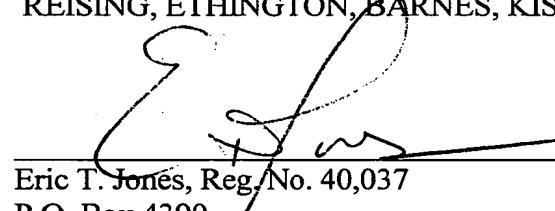
March 30, 2004

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